

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

In Re:

Donald Vincent Bernardo,  
Debtor

Case No. B-08-80681 C-7D

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TRUSTEE'S OBJECTION TO  
DEBTOR'S EXEMPTIONS

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NOW COMES Sara A. Conti, Trustee in Bankruptcy for the Debtor, pursuant to §522 of the Bankruptcy Code and Rule 4003 of the Federal Rules of Bankruptcy Procedure, and objects to the Debtor's exemptions as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 7 of the Bankruptcy Code on May 5, 2008. Sara A. Conti is the duly appointed Trustee in Bankruptcy for the Debtor's estate.
2. The Debtor's §341 meeting of creditors was held on May 30, 2008, and a Motion to Extend the Deadline for filing an objection to the Debtor's exemptions was filed before the deadline.
3. The Trustee has reviewed the Debtor's Form 91(c) claim of property exemptions, and is of the opinion that the Debtor has attempted to claim certain property as exempt that may not be claimed as exempt under the provisions of the Bankruptcy Code and Section 1C-1601 of the North Carolina General Statutes.
4. The Debtor has claimed as exempt his interest in entireties property that is subject to joint debt and that is available for payment of his joint debt. The Debtor has

also exempted real property in his individual name that is subject to a lien that was not disclosed on the exemptions.

5. The Trustee objects to the Debtor's claim for property exemptions and respectfully requests a hearing thereon.

WHEREFORE, the Trustee respectfully prays that the Debtor's property exemptions be disallowed, as set forth above, and for such other and further relief as the Court deems just and proper.

This the 4<sup>th</sup> day of July, 2008.

S/Sara A. Conti  
Sara A. Conti    NCSB 9789  
Post Office Box 939  
Carrboro, North Carolina 27510  
919-3061713

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing was duly served upon the following by depositing same enclosed in a post paid, properly addressed envelope in a Post Office or official depository under the exclusive care and custody of the United States Postal Service:

Michael D. West  
U. S. Bankruptcy Administrator  
Post Office Box 1828  
Greensboro, NC 27402

Donald Vincent Bernardo  
1825 Midland Road  
Southern Pines, NC 28387

Wayne Robbins, Esq.  
120 Applecross Road, Turnberry Wood  
Pinehurst, NC 28374

This the 4th day of July, 2008.

S/Sara A. Conti  
SaraA.Conti